

Letter of March 24, 2009

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Bob Nance

From: Bob Nance
Sent: Friday, March 27, 2009 5:46 PM
To: Jones, Bruce
Cc: Ehrich, Delmar R.; jtucker@rhodesokla.com; Trevor.Hammons@oag.ok.gov; Kelly.Burch@oag.ok.gov; Daniel.Lennington@oag.ok.gov; Baker, Fred
Subject: RE: Letter of March 24, 2009

Bruce, as you know, I have been in the deposition of Dr. Smolen in Stillwater today pursuant to defense subpoena. Cargill counsel participated as well. I've just returned home to your email. You persist in making unrealistic and unreasonable demands, and are ignoring your obligations to meet and confer in good faith. I will be available to do so early next week. Should you file a motion in violation of your obligation to meet and confer, the State will move to strike it. We will not agree to expedited consideration of your improper motion.

Bob

From: Jones, Bruce [mailto:BJones@faegre.com]
Sent: Fri 3/27/2009 5:12 PM
To: Bob Nance
Cc: Ehrich, Delmar R.; jtucker@rhodesokla.com; Trevor.Hammons@oag.ok.gov; Kelly.Burch@oag.ok.gov; Daniel.Lennington@oag.ok.gov; Baker, Fred
Subject: RE: Letter of March 24, 2009

Bob:

I have heard nothing further from you or your colleagues on this issue. Although the Cargill Defendants remain willing to discuss the discovery matters raised in my letter of March 24, given Plaintiffs' motion this afternoon regarding the discovery deadline, we must move forward with our motion to compel on those matters. Please advise as soon as possible whether Plaintiffs will agree to the expedited consideration of this motion.

Bruce Jones

From: Bob Nance [mailto:rnance@riggsabney.com]
Sent: Wednesday, March 25, 2009 5:05 PM
To: Jones, Bruce; Trevor.Hammons@oag.ok.gov; Kelly.Burch@oag.ok.gov; Daniel.Lennington@oag.ok.gov; Baker, Fred
Subject: Letter of March 24, 2009

Bruce, I have received your letter of yesterday afternoon and have begun to review it. I wanted to get back to you to let you know this, and that your request to identify a time not later than 1:00 p.m. tomorrow to confer by telephone about it is unrealistic and unreasonable. We will review your letter and get back as soon as possible either orally or in writing. Thanks,

Bob

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3/30/2009